



SCHEDULE B – Contract Clauses - DVD

PART II – Contract Clauses Specific for Purchase Orders Issued Under Buyer’s Prime Contract No. SPM4AR-07-D-0001

(Applicable to Purchase Orders for Items Shipped to U.S. Dept. of Defense Locations)

1. REFERENCES TO AGENCY SPECIFIC REGULATIONS

All references to “FAR” shall mean the Federal Acquisition Regulation

All references herein to “DFARS” shall mean the Defense Federal Acquisition Regulation Supplement which supplements the Federal Acquisition Regulation for contracts with the Department of Defense.

All references herein to “DLAD” shall mean “Defense Logistics Acquisition Directive”, which supplements Defense Federal Acquisition Regulation Supplement for contracts with Defense Logistics Agency.

All references herein to “DSCR” shall mean “Defense Supply Center Richmond Acquisition Reference List”, which supplements the Defense Logistics Acquisition Directive for contracts with the Defense Supply Center Richmond, a contracting activity of Defense Logistics Agency

2. SUPPLEMENTAL CLAUSES APPLICABLE TO THIS ORDER

The clauses listed below, which are contained in DSCR Contract No. SPM4A2-07-D-0001, are incorporated herein by reference and made a part of this Order. In all such clauses, unless the context of a clause requires otherwise, the term "Contractor" shall mean Seller, the term "Contract" shall mean this Order, and the terms "Government," "Contracting Officer" and equivalent phrases shall mean Buyer and Buyer's Purchasing Representative, respectively. It is intended that the referenced clause shall apply to Seller in such manner as is necessary to reflect the position of Seller as a subcontractor to Buyer, to insure Seller's obligations to Buyer and to the United States Government, and to enable Buyer to meet its obligations under its Prime Contract or Subcontract. The FAR and DFARS clauses listed below supersede all FAR and DFARS flowdown clauses listed in Buyer's Standard Terms & Conditions of Purchase, Rev. 11/2008, on pages 7 and 8. The full text of these clauses can be obtained at <http://www.dscr.dla.mil/proc/CLAUSES/clauses.html>

CONTRACT NO. SPM4A2-07-D-0001 REFERENCE	TITLE OF CLAUSE
SECTION A	
A12A02 52.212-5	Contract Terms and Conditions Required to Implement Statutes or Executive Orders -- Commercial Items (MAR 2007) FAR
A12A02 52.203-6	Restrictions on Subcontractor Sales to the Government (SEP 2006), with Alternate I (OCT 1995) (41 U.S.C. 253g and 10 U.S.C. 2402) FAR
A12A02 52.219-8	Utilization of Small Business Concerns (MAY 2004) [15 U.S.C. 637(d)(2) and (3)] FAR
A12A02 52.219-9	Small Business Subcontracting Plan (APR 2008) [15 U.S.C. 637(d)(4)] FAR
A12A02 52.222-3	Convict Labor (JUN 2003) (E.O. 11755) FAR
A12A02 52.222-19	Child Labor - Cooperation with Authorities and Remedies (JAN 2006) (E.O. 13126) FAR
A12A02 52.222-19	Child Labor - Cooperation with Authorities and Remedies (JAN 2006) (E.O. 13126) FAR
A12A02 52.222-21	Prohibition of Segregated Facilities (FEB 1999) FAR
A12A02 52.222-26	Equal Opportunity (MAR 2007) (E.O. 11246) FAR



CONTRACT NO. SPM4A2-07-D-0001 REFERENCE	TITLE OF CLAUSE
A12A02 52.222-35	Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (SEP 2006) (38 U.S.C. 4212) FAR
A12A02 52.222-36	Affirmative Action for Workers with Disabilities (JUN 1998) (29 U.S.C. 793) FAR
A12A02 52.222-39	Notification of Employee Rights Concerning Payment of Union Dues or Fees (DEC 2004) FAR
A12A02 52.223-9	Estimate of Percentage of Recovered Material Content for EPA - Designated Products (August 2000) FAR
A12B01 252.212-7001	Contract Terms and Conditions Required to Implement Statutes or Executive Orders Applicable to Defense Acquisitions of Commercial Items (MAR 2007) DFARS
A12B01 52.203-3	Gratuities (APR 1984) (10 U.S.C. 2207) FAR
A12B01 252.219-7003	Small, Small Disadvantaged and Women-Owned Small Business Subcontracting Plan (DoD Contracts) (APR 2007) (15 U.S.C. 637) DFARS
A12B01 252.225-7012	Preference for Certain Domestic Commodities (JAN 2007) (10 U.S.C. 2533a) DFARS
A12B01 252.225-7014	Preference for Domestic Specialty Metals (JUN 2005) (DEVIATION) (10 U.S.C. 2533a) DFARS
A12B01 252.225-7021	Trade Agreements (MAR 2007) (19 U.S.C. 2501-2518 and 19 U.S.C. 3301 note) DFARS
A12B01 252.225-7028	Exclusionary Policies and Practices of Foreign Governments (APR 2003) (22 U.S.C. 2755) DFARS
A12B01 252.247-7023	Transportation of Supplies by Sea (MAY 2002) (10 U.S.C. 2631) DFARS
A12B01 252.247-7024	Notification of Transportation of Supplies by Sea (MAR 2000) (10 U.S.C. 2631) DFARS
SECTION B	
B09F03 9-5-9G	First Article Delivery Under Indefinite Delivery Contracts (MAR 1999) DSCR
B09F04 9-8-9G	Source Approval (Aircraft Launch and Recovery Equipment) (FEB 2000) DSCR
SECTION C	
C11F31 52.211-9G35	Lubricating Oil, Internal Combustion Engine MS9250 (A Qualified Product) (FEB 1996) DSCR
SECTION D	
D11B02 252.211-7006	Radio Frequency Identification DFARS (FEB 2007)
D11C02 52.211-9010	Shipping Documentation - MIL-STD-129P - Takes Precedence Over Schedule (DEC 2005) DLAD
D11C03 52.211-9010	Shipping Documentation - MIL-STD-129P - Takes Precedence Over Schedule (DEC 2005) ALT I DLAD
D11C04 52.211-9013	Shipper's Declaration of Dangerous Goods (AUG 2005) DLAD
D11F39 52.211-9G73	Packaging and Marking Requirements (JUL 2002) DSCR
D47C01 52.247-9012	Requirements for Treatment of Wood Packaging Material (WPM) (FEB 2007) DLAD



CONTRACT NO. SPM4A2-07-D-0001 REFERENCE	TITLE OF CLAUSE																																						
SECTION E																																							
E46A02 52.246-2	Inspection of Supplies--Fixed-Price (AUG 1996) FAR																																						
E46A14 52.246-11	Higher-Level Contract Quality Requirement (FEB 1999) FAR																																						
E46B01 252.246-7000	Material Inspection and Receiving Report (MAR 2003) DFARS																																						
B46F31 52.246-9G-10	Liquid Petroleum Gases Quality Assurance (SEP 1996) DSCR																																						
E46F34 52.246-9G21	Product Verification Testing of Packaged Petroleum Products (JAN 1996) DSCR																																						
E46F38 52.246-9G39	Inspection -Aircraft Launch and Recovery Equipment (FEB 2002) DSCR																																						
SECTION F																																							
F11A06 52.211-16	<p>Variation in Quantity (APR 1984) FAR</p> <p><u>Notes:</u></p> <p>1. Paragraph (b): Insert <u>5%</u> Increase, <u>5%</u> Decrease as applicable only to the following bulk NSNs delivered by Seller:</p> <table border="0"> <thead> <tr> <th style="text-align: left;">Bulk NSNs Active</th> <th style="text-align: left;">Bulk NSNs Inactive</th> </tr> </thead> <tbody> <tr><td>6850-00-264-9039</td><td>6810-00-127-5668</td></tr> <tr><td>6850-00-637-6135</td><td>6810-00-297-9541</td></tr> <tr><td>6850-00-656-0810</td><td>6810-00-985-7098</td></tr> <tr><td>6850-01-341-9856</td><td>6850-01-390-9558</td></tr> <tr><td>6850-01-432-7105</td><td>6850-01-434-3973</td></tr> <tr><td>6850-01-435-6471</td><td>6850-01-435-4289</td></tr> <tr><td>6850-01-435-8899</td><td>6850-01-440-5664</td></tr> <tr><td>6850-01-440-5096</td><td>6850-01-506-7706</td></tr> <tr><td>6850-01-450-4747</td><td></td></tr> <tr><td>6850-01-569-2619</td><td></td></tr> <tr><td>6850-01-569-2621</td><td></td></tr> <tr><td>9150-01-359-8567</td><td></td></tr> <tr><td>9150-01-472-9364</td><td></td></tr> <tr><td>9150-01-487-8530</td><td></td></tr> <tr><td>9150-01-488-4045</td><td></td></tr> <tr><td>9150-01-496-1962</td><td></td></tr> <tr><td>6850-01-569-2619</td><td></td></tr> <tr><td>6850-01-569-2622</td><td></td></tr> </tbody> </table> <p>2. Paragraph (b): Insert <u>0%</u> Increase, <u>0%</u> Decrease as applicable to all NSNs not listed above delivered by Seller.</p>	Bulk NSNs Active	Bulk NSNs Inactive	6850-00-264-9039	6810-00-127-5668	6850-00-637-6135	6810-00-297-9541	6850-00-656-0810	6810-00-985-7098	6850-01-341-9856	6850-01-390-9558	6850-01-432-7105	6850-01-434-3973	6850-01-435-6471	6850-01-435-4289	6850-01-435-8899	6850-01-440-5664	6850-01-440-5096	6850-01-506-7706	6850-01-450-4747		6850-01-569-2619		6850-01-569-2621		9150-01-359-8567		9150-01-472-9364		9150-01-487-8530		9150-01-488-4045		9150-01-496-1962		6850-01-569-2619		6850-01-569-2622	
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F11A07 52.211-17	Delivery of Excess Quantities (SEP 1989) FAR																																						
F11F06 11.19-9G	DSCR Note To Clause 52.211-16 Variation in Quantity (APR 1984)																																						
F11F33 52.211-9G07	Special Project Code Labels (JUL 2004) DSCR																																						
F11F34 52.211-9G15	Military Shipping Labels, DD Form 1387 (JUL 2004) DSCR																																						



CONTRACT NO. SPM4A2-07-D-0001 REFERENCE	TITLE OF CLAUSE
F11F36 52.211-9G22	DSCR Palletization for Mil-Std-2073 IAW MD00100452, Rev. A (04090) (DEC 2007) DSCR <u>Notes:</u> 1. Paragraph (a) (5) (ii) is amended as follows for delivery orders shipped f.o.b. origin from Seller's facilities in sea containers and for delivery orders shipped f.o.b. destination to freight forwarders by truckload for sea container movement only: "55 gallon drums for export delivery shall be palletized 3 per pallet IAW load type 3a bonding method D (metal strap)." Note: paragraph (a) 2. Paragraph (a) (5) (ii) applies to all delivery orders for 55 gallon drums that are ultimately shipped to OCONUS locations (i.e. delivery orders with OCONUS mark-for addresses), even if the delivery orders' ship-to addresses are CONUS locations.
F11F45 52.211-9G56	Determination of Quantity (SEP 1996) DSCR
F11F46 52.211-9G57	Delivery Conditions for Transport Trucks, Trucks and Trailers, or Tank Wagons (FEB 1996) DSCR
F11F47 52.211-9G58	Transport Truck and/or Truck and Trailer Free Time and Detention Rates (FEB 1996) DSCR
F11F48 52.211-9G59	Shipment and Routing (FEB 1996) DSCR
F11F49 52.211-9G60	Annotation of Shipping Documents (FEB 1996) DSCR
F25C01 52.225-9002	FMS Shipping Instructions (JUN 1998)
F25F31 52.225-9G02	FMS Special Instructions (MAR 1996) DSCR
F25F32 52.225-SG05	DD250 and Bill of Lading Preparation Special Instructions for Saudi Arabian Foreign Military Sales Project (JAN 1996) DSCR
F42A02 52.242-15	Stop-Work Order (AUG 1989) FAR
F42A05 52.242-17	Government Delay of Work (APR 1984) FAR
F47A01, 52.247-30	F.o.b. -- Origin, Contractors Facility (Feb 2006) FAR <u>Note:</u> 1. Applies to individual orders destined for OCONUS locations whose contents are large enough to fill one or more 20-foot or 40-foot sea containers, as determined on an individual order basis and specified in Buyer's order to Seller
F47A06 52.247-48	F.o.b. Destination - Evidence of Shipment (FEB 1999) FAR
F47A07 52.247-52	Clearance and Documentation Requirements -- Shipments to DOD Air or Water Terminal Transshipment Points (FEB 2006) FAR
F47F30 52.247-9G01	Project Code 175 (AUG 2003) DSCR
F47F31 52.247-9G03	Project Codes Y31 and 145 (AUG 2003) DSCR
F47F32 52.247-9G05	USAF Shipments to a Cargo Assembly Point/Container Consolidation Point (CCP) (OCT 2001) DSCR
F47F33 52.247-9G06	Army Shipments to a Cargo Assembly Point/Container Consolidation Point (CCP) (OCT 2001) DSCR
F47F35 52.247-9G08	Navy Shipments to a Cargo Assembly Point/Container Consolidation Point (CCP) (OCT 2001) DSCR
F47F36 52.247-9G09	F.o.b. Destination - Contractor Transshipment (MAR 1998) DSCR
SECTION H	
H23B01 252.223-7001	Hazard Marking Labels (DEC 1991) DFARS
H29F30 52.229-9G01	Tax Exemption Forms (JAN 1997) DSCR
H46F30 52.246-9G07	Inspection Fees (JAN 1996) DSCR



CONTRACT NO. SPM4A2-07-D-0001 REFERENCE	TITLE OF CLAUSE
H47F30 52.247-9G12	Acquisition of Liquids in Bulk Quantities (JAN 1996) DSCR
SECTION I	
I03B02 252.203-7002	Display of DOD Hotline Poster (DEC 1991) DFARS
I04B01 252.204-7000	Disclosure of Information (DEC 1991) DFARS
I05B01 252.205-7000	Provision of Information to Cooperative Agreement Holders (DEC 1991) DFARS
I08A02 52.208-9	Contractor Use of Mandatory Sources of Supply or Services (JUN 2006) FAR
I08F30 52.208-9G01	Notification to Government of Contemplated Production Phase-out (NOV 2006) DSCR
I09A01 52.209-1	Qualification Requirements (FEB 1995) FAR
I09A02 52.209-3	First Article Approval – Contractor Testing (SEP 1989) FAR
I09A5 52.209-4	First Article Approval -- Government Testing (SEP 1989) FAR
I11A01 52.211-5	Material Requirements (AUG 2000) FAR
I11B01 252.211-7005	Substitutions for Military or Federal Specifications and Standards (NOV 2005) DFARS
I11C01 52.211-9000	Government Surplus Material (APR 2002) DLAD
I11C05 52.211-9006	Changes in Contractor Status, Item Acquired, And /Or Manufacturing Process/ Facility – Critical safety Items (JUL 2002) DLAD
I11C06 52.211-9007	Withholding of Material Review Board (MRB) Authority -- Critical Safety Items (JULY 2002) DLAD
I11F33 52.211-9G42	Preference for Recycled Toner Cartridges (FEB 1996) DSCR
I11C08, 52.211-9014	Contractor Retention of Traceability Documentation (Feb 2006) DLAD
I17F42 52.217-9G25	Surge & Sustainment Requirement (JUN 2001) DSCR
I23A01 52.233-3	Hazardous Material Identification and Material Safety Data (JAN 1997) FAR
I23A06 52.223-9	Estimate of Percentage of Recovered Material Content for EPA Designated Products (AUG 2000) FAR
I23C01 52.223-9000	Material Safety Data Sheets and Hazard Warning Labels (MAR 1992) DLAD
I25B02 252.225-7002	Qualifying Country Sources as Subcontractors (APR 2003) DFARS
I25B06 525.225-7013	Duty-Free Entry (OCT 2006) DFARS
I26B01 252.226-7001	Utilization of Indian Organizations, Indian-Owned Economic Enterprises, Native Hawaiian Small Business Concerns (SEP 2004) DFARS
I29C01 52.227-1	Authorization and Consent (JUL 1995) FAR
I29C01 52.229-9000	Kentucky Sales and Use Tax Exemption (DEC 1984) DLAD
I29F31 52.229-9G02	Federal Excise, State and Local Taxes Excluded from Contract Price Alt I (MAR 1998) DSCR
I39C01 52.239-9000	Y2K Compliance Notice (JUN 2002) DLAD
I46B05 252.247-7003	Notification of Potential Safety Issues (JAN 2007) DFARS
I48A01 52.248-1	Value Engineering (FEB 2000) FAR
I52A01 52.252-2	Clauses Incorporated by Reference (FEB 1998) FAR
I52A02 52.252-6	Authorized Deviations in Clauses (APR 1984) FAR



CONTRACT NO. SPM4A2-07-D-0001 REFERENCE	TITLE OF CLAUSE
SECTION K	
K09B01 252.209-7001	Disclosure of Ownership or Control by the Government of a Terrorist Country (SEP 2004) DFARS
K15C01 52.215-9002	Socio Economic Proposal (MAR 1996) DLAD
K23A01 52.233-4	Recovered Material Certification (OCT 1997) FAR
K23F30 52.223-9G03	Environmental Protection Agency Registration (JAN 1996) DSCR
K23F31 52.223-9006	Estimate of Re-Refined Oil Content (JAN 1996) DSCR
K25B03 52.225-7020	Trade Agreements Certificate (JAN 2005) DFARS
K47F30 52.247-9G17	Production Facilities (Aug 2000) DSCR